

REMARKS

In response to the Official Action mailed January 14, 2005, Applicant amends his application and requests reconsideration. In this Amendment, no claims are canceled and claims 11-14 are added, so that claims 1-14 are now pending. No new matter has been added.

Claims 11 and 12 are added to recite the additional feature that the scenario analysis processing means executes a limited number of the steps to be executed, stops executing the steps of the text scenario selected after the limited number is reached, selects a second text scenario of lower priority than the text scenario selected, and executes a set of steps of the second text scenario (see page 16, lines 10-23 of the patent application). Claims 13 and 14 clarify that the number of steps executable in response to a single start-up is the number of steps required to complete processing of the at least one text scenario.

Independent claims 1, 5, 6, and 10 are rejected as unpatentable over Coleman et al. (U.S. Patent 4,562,436, hereinafter Coleman) in view of Redford et al. (U.S. Patent 4,692,858, hereinafter Redford) and further in view of Clarisse (U.S. Patent 5,247,651). That rejection is respectfully traversed.

Despite the Applicant's arguments in previous communications, the Office Action still contends that Clarisse teaches storing a quantity of steps executable in response to a single start-up. Applicant previously argued that Clarisse merely stores the number of steps executed since a start-up, by contrast with the present invention which recites storing the number of steps that are executable in response to a start-up. In other words, the counter in Clarisse does not know how many steps are executable in response to a start-up until all of the executable steps have been executed. For example, if the counter is set to advance to step 50, but there are only 40 executable steps on the tape (perhaps because the tape ends), then Clarisse clearly has not stored the number of steps that are executable in response to a start-up (see column 41, lines 49-53 of Clarisse).

In the Response to Arguments, the Official Action attempts to rebut Applicant's position by noting that Clarisse discloses "a user [sic] GRAS records a step of an example scenario by specifying a sender and receiver actor for the step, a message to be sent from the sender actor to the receiver actor, and any conditions that must be present in the system *before the step is executed*" (emphasis added in the Office Action). The Official Action further refers to Figures 4 and 5, and column 2, lines 55-60. In response, Applicant notes that the cited portion of Clarisse is directed to creating a tape, which is a software recording of a specification, by recording steps of a group of example scenarios (see column 2, lines 39-46 of Clarisse). Clearly, if the tape is being created, the number of steps recorded is not yet known. Furthermore, Clarisse does not teach storing the number of steps it records. Still further, the Official Action's emphasis on

“before the step is executed” is misplaced, as that language modifies “any conditions that must be present in the system.” Obviously, “conditions that must be present” are not the number of steps executable in response to a start-up. Moreover, Figures 4 and 5 merely show a typical handshaking operation for logging in a user. Those figures bear no relevance as to whether Clarisse teaches storing the number of steps executable in response to start-up.

The Official Action further disagrees with Applicant’s interpretation that Clarisse’s counter merely functions to set the number of steps that will execute. The Official Action notes that “in Clarisse’s counter that’s used for setting (col. 41:47-55), i.e. indicates the number of steps that will be executed (executable).” In response, Applicant notes that the number of steps that will be executed is not the number of executable steps. The number of executable steps is the number of steps that can be executed. In the case of Clarisse, the number of steps that can be executed is the total number of steps on the tape, which, as previously noted, is not stored by the counter or any other part of Clarisse.

The Official Action posits that Coleman can be modified by Redford to include scenarios that have steps, and that Clarisse can modify the combination of Coleman and Redford to include storing a quantity of steps executable in response to a start-up. However, such a modification would merely result in the addition of a counter to Coleman to count the number of steps executed in a scenario as the scenario is executed (see column 41, lines 36-37 of Clarisse). That modification does not suggest a priority level definition storage means storing a quantity of steps, known before the scenario is executed by the scenario analysis processing means, that will be executed in response to a start-up. There is a clear difference between the present invention, which determines how many steps will be executed, and Clarisse, which merely reports how many steps were executed.

Because of these differences, considered individually and together, neither of the pending independent claims can be suggested by any combination of Coleman, Redford, and Clarisse. For the same reasons, dependent claims 5 and 10 are patentable over that purported combination of references.

Dependent claims 2 and 7, 3 and 8, and 4 and 9, were rejected on the same grounds as independent claims 1 and 6 and, in addition, respective fourth references. These rejections are still traversed because the rejections depend upon the propriety of the rejection of claims 1 and 6. Since it has been demonstrated that those rejections of claims 1 and 6 are incorrect, the rejections of claims 2-4 and 7-9 cannot be properly maintained.

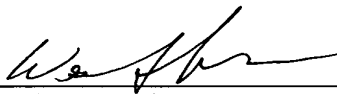
Furthermore, none of the cited references, considered individually and together, teach or suggest the limitations of newly added claims 11 and 12. Those claims recite that the scenario analysis processing means executes a limited number of the steps to be executed,

In re Appln. of Takayuki MIMURA
Application No. 09/714,267

stops executing the steps of the text scenario selected after the limited number is reached, selects a second text scenario of lower priority than the text scenario selected, and executes a set of steps of the second text scenario.

Reconsideration and withdrawal of the rejections and allowance of claims 1-10 are earnestly solicited.

Respectfully submitted,



A. Wesley Ferrebee, Reg. No. 51,312
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

Date: 4/11/05

Amendment or ROA - Final (Rev. 9/3/03)